



## **MAINE STATE BOARD OF EDUCATION**

23 State House Station  
AUGUSTA, MAINE 04333

### **STATE OF MAINE**

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The State Board of Education held a regular monthly meeting on October 12, 2016 at Maine Academy of Natural Sciences (MeANS), Hinckley, Maine. The following members were present: Chair Martha Harris; Vice Chair Jana Lapoint; John Bird; Nichi Farnham; Peter Geiger; Wilson Hess; Heidi Sampson; Jane Sexton; Ande Smith; Noa Sreden; and Elise McKendry.

Also present were: Scott Brown, Director of School Construction Programs; Robert Hasson, Director of Certification; Aaron Chadbourne, Senior Policy Advisor, Office of the Governor; and Mary Becker, Secretary Associate, State Board of Education.

### **CALLED TO ORDER:**

Chair Martha Harris called the meeting to order at 1:00 PM.

### **VISION STATEMENT:**

Read by student member, Noa Sreden: The Vision of the State Board is to ensure Maine public school students graduate with the skills, knowledge, and principles to be responsible American citizens; self-directed and dedicated to making contributions to society by pursuing further education and employment.

### **APPROVAL OF MINUTES:**

MOVED by Ande Smith, seconded by Heidi Sampson, and voted eight in favor with one member abstained (Martha Harris) to approve the September 14, 2016 minutes as written.

### **COMMITTEE REPORTS:**

#### ***Construction Committee (Peter Geiger):***

The Construction Committee met on September 30, 2016 as scheduled.

The following actions were taken:

- Reviewed a site approval consideration for RSU #39 – PK-8 Elementary School. This matter will come before the Board with our recommendation during the meeting.
- The Committee reviewed land sale of Career and Technical Education (CTE) Region 3 property and will bring forward our recommendation at this meeting.
- The Committee discussed moving forward with a 2017-2018 Rating Cycle Proposal.

The next Construction Committee meeting is scheduled for Friday, October 28, 2016. The meeting will be held in room 500 of the Cross State Office Building. The approved minutes will be posted on the State Board website.

***Certification and Higher Education (Nichi Farnham):***

The Certification and Higher Education Committee met on September 28, 2016, as scheduled.

The Committee received an update on the following:

- Angel Loreda, Higher Education Specialist, has updated the higher education website and is moving towards paperless review materials
- Chapter 115 proposed changes
- The Committee was invited to a demo for the online certification process (HUPP)
- Received a Teacher Effectiveness update from Charles Lomonte

The next Certification and Higher Education Committee meeting is scheduled for Wednesday, November 30, 2016. The meeting will be held in room 538 of the Cross State Office building. The approved minutes will be posted on the State Board website.

***Career and Technical Education (Heidi Sampson):***

The Career and Technical Education (CTE) Committee met on September 29, 2016, as scheduled.

The Committee received an update on the following:

- Cosmetology – updated rules are ready for public hearing
- LD 1627, PL 489 – Rulemaking is in development
- Certification Chapter 115 – endorsement list is being updated and orientation class is not required if proof of teaching in CTE environment for 5 years
- New Director and CTE Data Training – October 28, 2016, room 103 at Cross Office Building
- CTE and Academic Standards Intersection Work – January 10 and 11, 2017 at the Green Ladle in Lewiston
- State CTE Grant - \$900,000. Has been awarded by the Commissioner out of state funding and is allotted for distribution in January 2017. Use of funds is for equipment updates, student skill assessment pilots, and CTE teacher certifications within their program area.
- Business, Computer and Graphic Arts – Possible revisions to program structure

The next CTE Committee meeting is scheduled for Thursday, November 3, 2016. The meeting will be held in room 538 of the Cross State Office building. The approved minutes will be posted on the State Board website.

**NEW BUSINESS:**

**PROPOSED CHANGES TO CHAPTER 115, “CERTIFICATION, AUTHORIZATION AND APPROVAL OF EDUCATION PERSONNEL”**

**BACKGROUND:** 1. On April 6, 2016 the Maine Department of Education received a letter from the US Department of Education, Office of Special Education which reflected the impact of the Every Student Succeeds Act (ESSA) on the Individuals with Disabilities Education Act (IDEA) Part B application. ESSA reactivated an IDEA statutory provision that requires that special education teachers be fully certified. The Office of Special Education Programs (OSEP) is requiring that Maine change the Chapter 115 regulation by June 30, 2017 to change the certification types that are not full certifications. As Department staff began meeting late this

summer to address the OSEP concerns we realized that there were components of Chapter 115 that needed to be revised for all educators.

2. As a result the Department has begun refinements in the following manner:

Overarching concepts

- Align with state statute
- Streamline the certifications to be easier for the field and easier to process on the state level
- Delete unnecessary or duplicative sections of the regulation
- Enhance the ability to use a streamlined Alternate Pathway by having an approved internship student teacher course done during employment in a district, as well as approved courses to allow the field to understand what is acceptable

Sampling of the specifics

- Streamline the Targeted Need, Transitional and Provisional Certifications to just Conditional and Professional. Conditionals will address the ones that reflect that the person has additional steps to meet Professional.
- Conditionals will be for three years without yearly check ins to the Certification Office
- Have renewals occur at five years from date of initial approval, so the renewals will flow throughout the year, rather than summers.
- Administrative certificates – refine renewal and allow interstate reciprocity
- Delete the section on Substitute Personnel, allow the school administrative units to address the substitute needs of their SAUs.
- Examine all the current certifications and endorsements with an eye to decrease the number and consolidate to allow more flexibility on the SAU level

3. The Governor's Office has given preapproval to undertake the rulemaking process.

4. The Certification and Higher Education Committee of the State Board voted on September 28, 2016 to support the promulgation of refinements to Chapter 115. The Committee has been kept apprised of the need to update the regulation since last Spring.

RECOMMENDATION: The State Board of Education's Certification and Higher Education Committee recommends that the State Board of Education support the Initiation of rulemaking for Chapter 115.

MOVED by Nichi Farnham, seconded by Jana Lapoint, and unanimously voted by those present to initiate rulemaking for Chapter 115.

MAJOR CAPITAL SCHOOL CONSTRUCTION PROGRAM; *SITE APPROVAL CONSIDERATION*; RSU #39 – NEW PREK-8 SCHOOL IN CARIBOU, MAINE

STATEMENT OF FACT: Superintendent of Schools, Timothy Doak, requests that the State Board of Education approve a site in Caribou, Maine for a new PreK-8 school.

The proposed site is the culmination of a thorough site search which studied six potential locations within the city of Caribou.

The selected 17.4 acre site is in the center of downtown in the heart of the community and, if approved, will be built on land that presently houses the following structures:

- Teague Park Elementary – grades 3-5 constructed in 1948,
- Caribou Middle – grades 6–8 constructed in 1926,
- Teague Park – a city park funded by a National Park Service grant,
- A defunct, city-owned swimming pool, and
- A small residential home on .15 acres, to be purchased as part of the project costs.

Hilltop Elementary, a pre-K-2 school constructed in 1960 and located on a different parcel of land, will be replaced as part of this project.

The City of Caribou, the U.S. National Park Service (NPS) through the Department of the Interior, the Office of the Maine Attorney General and others were instrumental in assisting with the numerous and complex transfers. As part of these transfers the Caribou Learning Center constructed in 1950 which houses numerous educational programs and the vacated Sincock School constructed in 1921 will be torn down to accommodate recreation areas defined and approved through the NPS conversion process.

A completed Site Application is on file with the Department of Education and meets all the needed criteria of the State Board of Education's Chapter 61, Rules for Major Capital School Construction Projects. The architects and engineers have met with all the required state and local agencies and they have responded positively to the proposed project.

In a public meeting on January 12, 2016, constructing a new facility on this site was endorsed by a vote of 124 in favor to 7 opposed.

***Project Information:***

Project: RSU #39 PreK-8 Construction Project

Superintendent: Timothy Doak

Architect: Portland Design Team – Lyndon Keck

Total number of acres: 17.4 (new school site)

Average appraised value of land to be purchased: \$64,000. (House on Bennett Drive - .15 Acres)

Total Purchase Cost: \$64,000.

COMMISSIONER'S RECOMMENDATION: The Deputy Commissioner of the Department of Education recommends that the State Board of Education grant Site Approval for the site as presented in this exhibit to RSU #39 for a new PreK-8 elementary school according to the provisions of Chapter 61, Rules for Major Capital School Construction Projects.

CONSTRUCTION COMMITTEE RECOMMENDATION: On September 30, 2016, the Construction Committee voted unanimously to recommend that the State Board of Education grant Site Approval to RSU #39 for a PreK-8 school construction project according to the provisions of Chapter 61, Rules for Major Capital School Construction Projects.

MOVED by Peter Geiger, seconded by John Bird, and unanimously voted by those present to grant Site Approval to RSU #39 for a PreK-8 school construction project according to the provisions of Chapter 61, Rules for Major Capital School Construction Projects.

*Note: Jane Sexton left the meeting for a brief moment.*

## CAREER AND TECHNICAL EDUCATION REGION 3 - PROPERTY TRANSFER

**STATEMENT OF FACT:** The Cooperative Board of Career and Technical Education Region 3 in Northern Penobscot County has voted to transfer two adjoining parcels of land (approximately 1.75 acres) and a building thereon located in the Town of Howland (the “Property”). The property is no longer needed for educational purposes and has been unused for 7 or 8 years. There is no indebtedness related to the Property. The Property has been appraised within the last year at \$85,000; the proposed sale price has been negotiated to be \$61,500 in consideration of costs to be borne by the purchasers for a survey and resolution of an easement issue. Proceeds of the sale shall be applied to pay outstanding school renovation indebtedness of Region 3 in accordance with 20-A M.R.S. § 8467(2)(B). Career and Technical Education Region 3 requests authorization from the State Board of Education to transfer these properties in accordance with 20-A M.R.S. § 8467(1).

**COMMISSIONER’S RECOMMENDATION:** The Deputy Commissioner of the Department of Education recommends that the State Board of Education authorize Career and Technical Education Region 3 to transfer the Property in accordance with 20-A M.R.S. § 8467(1). The proceeds of the sale will be applied to outstanding school renovation indebtedness of Region 3 in accordance with 20-A M.R.S.A. § 8467(2)(B).

**CONSTRUCTION COMMITTEE RECOMMENDATION:** On September 30, 2016, the Construction Committee voted unanimously to recommend that the State Board authorize Career and Technical Education Region 3 to transfer property as requested.

MOVED by Ande Smith, seconded by Peter Geiger, and unanimously voted by those present to authorize Career and Technical Education Region 3 to transfer property as described in the presented exhibit.

REQUEST APPROVAL OF A REVISED STATE OF MAINE YEAR TEN (10) REVISIONS AND REQUEST TO EXTEND THE SIX-YEAR PLAN FOR CAREER AND TECHNICAL EDUCATION UNDER THE CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT OF 2006 (P.L.109-270) AND “REQUEST FOR CONFORMING REVISIONS TO STATE PLAN SUBMISSIONS INCLUDING BUDGETS” (OMB APPROVAL NUMBER 1830-0029)

As a condition for the receipt of Federal funds to support career and technical education, §122 of the Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270) requires a designated “eligible agency” in each State—in Maine’s case, the State Board of Education—to submit a State Plan for Career and Technical Education. The Eligible Agency must send in a revised budget, any revisions to the plan, any request to extend and the agreed upon performance indicators for that grant period each Grant year covered by the plan.

Following the Guidance for the Submission of State Plan Revisions, Budgets, and Performance Levels for Program Year Ten Perkins IV Grant Awards - issued by the U.S. Office of Vocational and Adult Education on February 5, 2016 (OMB #1830-0029) and the Request for Conforming Revisions to State Plan Submissions, Including Budgets”

(OMB Approval Number 1830-0029) sent on February, 2016, the Maine Department of Education Career and Technical Education Team prepared the year ten (10) State plan revisions covering the grant period beginning July 1, 2016 and ending June 30, 2017.

As you know, Congress passed a short-term continuing resolution (CR), that provides funding for a number of Federal programs through December 9, 2016. The CR includes an across-the-board reduction of 0.496 percent that applies to both the advance portion of fiscal year (FY) 2017 funds received on July 1, 2016 and the second portion that became available October 1, 2016. Consequently, the total October 1 allocations for FY17 of the Perkins IV Career and Technical Education State Grants will be slightly lower than were previously estimated.

The year ten (10) revisions include:

- A revised budget for the grant period covering July 1, 2016 to June 30, 2017

**RECOMMENDATION:** The State Board approve the revision of the State of Maine Year X budget for the Year ten extension of the Six Year Plan for Career and Technical Education Under the Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270) for the grant year July 1, 2016- June 30, 2017.

MOVED by Heidi Sampson, seconded by Wilson Hess, and unanimously voted by those present to approve the revision of the State of Maine Year X budget for the Year ten extension of the Six Year Plan for Career and Technical Education Under the Carl D. Perkins Career and Technical Education Act of 2006 (P.L. 109-270) for the grant year July 1, 2016- June 30, 2017.

### **EXECUTIVE SESSION:**

The Board went into executive session to discuss student transfer appeals at 1:50 PM, with voting members only in attendance. The Board returned to the regular business meeting at 2:12 PM.

### **STUDENT TRANSFER APPEALS:**

MOTION by Ande Smith, seconded by Peter Geiger, and unanimously voted by those present to return the appeal in the matter of GS to the Deputy Commissioner for further inquiry into the residency status of the pupil.

MOTION by Heidi Sampson, seconded by Jane Sexton, and voted seven in favor with two members opposed (Heidi Sampson and Wilson Hess) to uphold the Deputy Commissioner's decision on the transfer of JLL. The transfer is denied.

MOTION by Nichi Farnham, seconded by Jane Sexton, and unanimously voted by those present to uphold the Deputy Commissioner's decision on the transfer of LW. The transfer is denied.

## **OFFICER'S REPORTS:**

### **Chair, Martha Harris**

- On September 30, she attended the Construction Committee meeting and the Agenda Review meeting with Bob Hasson filling in for the Deputy Commissioner.
- She and Peter Geiger attended a private announcement on October 10 for the announced Maine Teacher of the Year and they will both be presenting to the Maine Teacher of the Year at an event on October 13.
- She continues to work with the National Association of State Boards of Education on ESSA and working on policy and procedure.
- She, Jana Lapoint and Wilson Hess will be attending the Annual National Association of State Boards of Education Annual Conference in Kansas City next week.

### **Vice Chair, Jana Lapoint**

- She attended the Blue Ribbon Commission Meeting on September 26, 2016 – Discussion Items:

The Commission met at the RSU 17 District Office in Oxford Hills. The agenda was to inform the Commission of trends in Maine education funding and an effort in Bangor to regionalize special education services.

The meeting began with a video of the “Ted Talk” by Sir Ken Robinson “Do Schools Kill Creativity?” The video suggested that the structure and curriculum of the current education system neglects the creative potential of students in deference to meeting the work force needs of the economy. By focusing on literacy and math and limiting the exploration of the creative arts, the system stifles transformative thinking. It creates fear of the wrong answer, makes students uncomfortable with their mistakes, and discourages students from exploring their strengths.

The Commission was then asked to pair off, discuss the video, and then report out their major points.

This was followed by a presentation by Suzan Beaudoin of Maine trends in education costs over the last ten years. Of particular note was the 46% increase of special education instructional cost and the 73% increase in student and staff support costs, the latter including: guidance, health, technology services and expenses for improving instruction, staff development, library and student assessment. Total expenditures rose 26%. Ms. Beaudoin then drilled down into the array of special education costs to note the 26.09% increase in self-contained category and 28.34% related services and 50.79% in summer programming. She noted also that per disability, greater increases were found for autism and other health impairments. It was also noted while total expenditures rose 26%, the total number of students educated in Maine dropped by 11%. She ended her presentation with a graph that showed the State share in these costs to hover around 46% over the last five years.

Following Ms. Beaudoin’s presentation, Betsy Webb, Bangor Superintendent, described a regional special education program provided in Bangor for severely

handicapped children from surrounding school districts. She noted that by regionalizing this effort, these services can be provided more economically and efficiently and is an example of how school districts can collaborate to find efficiencies.

The next meeting will be held on October 17, 2016 at Lewiston Regional Technical Center, 156 East Avenue, Lewiston, Maine at 9:00 AM. The agenda will be a “deeper dive into the state funding formula”.

- The Charter Commission has two five year renewals coming up and Commission members will be meeting on Friday, October 14 to review Maine Academy of Natural Sciences and Cornville.

### **BOARD MEMBER REPORTS:**

#### **Ande Smith:**

- He was pleased to kick off the work on Goal #3 of the Strategic Plan by holding a Privacy Seminar on October 5, 2016. He thanked Jana for assisting in arranging the facility, Peter McKernan Center at Southern Maine Community College. John Bird, Jana Lapoint and Heidi Sampson were in attendance along with a representative from the Governor’s Office and the private sector.

There were two presenters at the seminar - Rita Heimes, Research Director, CIPP/US, from Portsmouth, NH and Amelia Vance, Director of Education Data and Technology at the National Association of State Boards of Education. The seminar ran the full 10:00 AM to 3:00 PM.

The members of the Ad-Hoc Committee for the privacy group are Heidi Sampson, Elise McKendry and himself. If other Board members are interested they should let Ande know.

#### **Jane Sexton:**

- She attended the Certification and Higher Education Committee meeting on September 28.

#### **Elise McKendry:**

- She missed the privacy seminar as she was at her qualifying golf match and she won the girls.
- She had team states last weekend and they will have individual states this weekend at Natanis Golf Course. She and two of her team mates will be going.
- She and other students at her school went on a college trip this past week to the University of New Hampshire (UNH) and the University of New England (UNE). They also went to the Ogunquit Playhouse to see Million Dollar Quartet.

#### **Noa Sreden:**

- She missed calling into the Career and Technical Education meeting as she was waist deep in a stream in Woolwich taking water samples.
- She is playing soccer and they are currently 10 and 2.
- She took the SAT subject tests on October 1 at Brunswick High School - US History and the English II.

- She was elected student committee liaison council Vice Chair. This is her third year as Vice Chair.
- She attended her local school board meeting on September 26. The week before they set their board goals.
- She took her first college mid-term three weeks ago.
- She is taking micro-economics through UMaine.

**John Bird:**

- He attended part of the privacy seminar (morning session) on October 5 as he had a commitment in the afternoon.
- He is busy in his home town of Rockland with community events.

**Nichi Farnham:**

- She has been busy with Charter Commission work.
- She attended the Certification and Higher Education Committee meeting on September 28.

**Peter Geiger:**

- On September 23, he participated in the interview of the three 2017 Maine Teacher of the Year finalists. Finalists will be announced later in September.
- On September 30, he attended the Construction Committee meeting.
- On October 7, he attended the Educator Prep and Employment PK-16 Leadership Council Meeting. This is the third year of a TIF Grant being administered by Maine Schools for Excellence. The mission of the EP/E PK Leadership Council is to support activities and innovations that strengthen PK – 16 partnerships and increase the capacity of PK-12 schools to recruit, develop and retain effective educators. The timeline is to complete the work by September 30, 2017.

**Heidi Sampson:**

- On September 29, she attended the Career and Technical Education Committee meeting.
- On October 5, she attended the privacy seminar at the McKernan Center in South Portland.
- On October 7, she attended the MACTE meeting where they had great breakout sessions.

**Wilson Hess:**

- On September 14 and 15 he was at the Waldo County Grand Jury Meeting.
- He attended the Certification Committee meeting on September 28. He thanked Nichi Farnham and the Committee for a great meeting
- He attended the Career and Technical Education Committee meeting on September 29.
- He has been appointed to the NASBE Editorial Advisory Board and will be attending the Annual Fall Conference in Kansas City, MO on October 20 through October 22.

**ANNOUNCEMENTS:**

- Submit travel and expense account vouchers to Mary at the end of this meeting.

**ADJOURNMENT:**

MOVED by Heidi Sampson, seconded by Ande Smith, and unanimously voted by those present to adjourn the October 12, 2016 State Board of Education meeting at 2:47 PM.